



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/620,334

07/17/2003

Xing-Zhi Lin

LINX3001/BEU

8653

23364 7590 11/04/2008

BACON & THOMAS, PLLC

625 SLATERS LANE

FOURTH FLOOR

ALEXANDRIA, VA 22314-1176

EXAMINER

NGUYEN, KIMNHUNG T

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

11/04/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/620,334	LIN, XING-ZHI	
	<b>Examiner</b>	<b>Art Unit</b>	
	KIMNHUNG NGUYEN	2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6,8 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This application has been examined. The claims 1-6 and 8-9 are pending. The examination results are as following.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 8 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Philyaw (US 7,089,291).

Regarding claim 1, Philyaw discloses in figs. 37-38, a wireless input device body (wireless communication device, see total components of figs. 37), having an opening that form an opening of said wireless input device (see cavity 3904, see col. 32, lines 7-9); and a power supply module (battery pack 3700) arranged to carry at least one battery (3906); wherein the power-supply module (3700) is arranged to be inserted together with said battery into said opening of said wireless input device (fig. 37) in order to supply power from said battery to said wireless input device (fig. 37), said power-supply module (battery pack 3700) being arranged to be drawn out from the opening together with the battery for replacement of the battery , said power-supply module having a cover whose outline (3720) matches an outline of the body so as to form part of a housing of the wireless input device (fig. 37) when the power-supply module is inserted into said opening (3904).

Regarding claim 2, Philyaw discloses further the body (3717) has a circuit board (3918), fig. 39), and at least a metal plate extending from the circuit board for electrically contacting the batteries (see col. 31, lines 41-54).

Regarding claim 3, Philyaw discloses further, the power-supply module has a carrier for containing the battery; each of side of the carrier having a flange, and correspondingly each side of the opening having a groove (3804) for receiving flange (see figs. 37, 38).

Regarding claim 4, Philyaw discloses further the power supply module is fixed to the body by a fixing device (figs. 37, 38).

Regarding claim 5, Philyaw discloses further the fixing device includes a hook (fig. 38) located on the body, and a recess correspondingly located on the power-supplying module (figs. 37, 38).

Regarding claim 6, Philyaw discloses further, wherein the wireless input device is a computer mouse or track ball (see figs. 25, 26, see col. 24, lines 23-30).

Regarding claim 8, Philyaw discloses further, wherein the wireless input device could be a game controller because the wireless input device (cell phone) can be apparent that external shell of the reader can be contoured to resemble other animals, e.g., dog, bird, reptiles, fish, etc. or other objects including automobile, trucks, train, trains, aircraft (see col. 29, lines 47-52).

Regarding claim 9, Philyaw discloses further wherein the power-supply module (3700) has a carrier for containing the battery, and wherein the battery is replaceable by on the carrier by drawing out the power-supply module from the opening (3904) as if pulling out a drawer (see col. 31, lines 36-40).

***Response To Arguments***

4. Applicant's arguments with respect to claims 1-6 and 8-9 filed 7/14/08 have been considered but are moot in view of the new ground(s) of rejection.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIMNHUNG NGUYEN whose telephone number is (571)272-7698. The examiner can normally be reached on MON-FRI, FROM 8:30 AM-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kimnhung Nguyen/

Examiner, Art Unit 2629

/Richard Hjerpe/

Supervisory Patent Examiner, Art Unit 2629

<div>Application Number</div> <div></div>	Application/Control No.	Applicant(s)/Patent under Reexamination	
	10/620,334	LIN, XING-ZHI	
	Examiner	Art Unit	
	KIMNHUNG NGUYEN	2629	